

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA : Honorable Paul Crotty
: United States District Court
Plaintiff, :
: CRIMINAL NO.: 08-CR158C
v. :
: **NOTICE OF OMNIBUS MOTIONS**
ANDREW ROSSI, :
:
Defendant. :
:

TO: Jeffrey A. Brown
Office of the U.S. Attorney
One St. Andrews Plaza
New York, New York 10007

PLEASE TAKE NOTICE that on the _____ day of _____, 2008 at 9:00 a.m., in the forenoon, or as soon thereafter as counsel may be heard, the defendant, Andrew Rossi, through his attorney Anthony J. Pope, Esq., of the firm of Picillo Caruso Pope Edell Picini, P.C., will move before the Honorable Paul Crotty, United States District Court Judge, United States District Court, for the following relief:

1. For an Order requesting that the indictment be dismissed for failing to establish that the defendant committed the offenses in violation of Title 21, United States Code, Sections 856(a) (2);

2. For an Order requiring the Government to disclose statements made by alleged indicted or unindicted co-conspirators which it intends to introduce at trial pursuant to Federal Rules of Evidence 801(d)(2)(E).
3. For an Order to compel the government to disclose any and all exculpatory and/or favorable information within its possession or under its exclusive control;
4. For an Order requiring the government preserve all rough notes and/or reports of witnesses for disclosure.
5. For an Order requiring disclosure of any evidence of other crimes, wrongs or acts the Government intends to introduce at trial pursuant to Evidence Rule 404(b); and
6. For an Order suppressing any and all statements made by defendant.
7. For a Order granting such further relief the Court deems proper.
8. Defendant, Andrew Rossi, will rely upon the attached Memorandum of Law submitted in support of these Motions as well as Oral Argument.

Respectfully submitted,
Attorneys for Andrew Rossi

BY: /s/ Anthony J. Pope, Esq.

ANTHONY J. POPE, ESQ.

DATED: June 3, 2008

CERTIFICATION OF SERVICE

I hereby certify that the original and two copies of the within Motion were forwarded to the Clerk, United State District Court copies were forwarded to the Honorable Paul Crotty and to Jeffrey A. Brown, AUSA Office of the United State's Attorney, all by way of same day.

BY: /s/ Anthony J. Pope, Esq.

ANTHONY J. POPE, ESQ.

DATED: June 3, 2008

ORDERED that the Government disclose any and all exculpatory information to Defendant; and it is further

ORDERED that the Government preserve any and all rough notes and/or reports of witnesses for disclosure; and it is further

ORDERED, that any and all oral or written statements made by Defendant be suppressed; and it is further

ORDERED that the Government produce any and all evidence of other crimes wrongs or acts intended to be introduced at trial pursuant to Evidence Rule 404(b); and it is further

ORDERED that a copy of this Order shall be served upon all parties within _____ days from the date hereof.

P.A.C.